

BOARD OF SELECTMEN Meeting

Tuesday, December 1, 2015

A meeting of the Rockport Board of Selectmen was scheduled at 6:45pm in Conference Room A in Town Hall; present were three selectpersons, the Town Administrator and the Asst. Town Administrator, Selectperson Sheedy and Selectperson Wilkinson were not present. The meeting started at 7:30pm due to a Selectperson arriving late.

7:30 PM Meeting Called to Order

Executive Session – Approval of Minutes: postponed to the end of the meeting.

Executive Session moved to end of tonight's meeting.

Pledge of Allegiance and Moment of Silence

Approval of Minutes of November 17, 2015: Selectperson Murphy moved that the Board approve the minutes of November 17, 2015, Selectperson Lucas seconded, Vote: 3-0.

Approval of 11/17/15 minutes, Motion Approved

Certificate of Appreciation presented to Frank Taormina for work on new website.

Certificate of Appreciation presented to Marianne Peters for work on new website.

Certificates of Appreciation for town employees

Selectmen Updates and Liaison Reports:

- Chairperson Battistelli stated that she was asked by Dorothy Stoffa to light the Christmas Tree; D. Stoffa has been doing this for 30 years, however this will be her last year.
- Chairperson Battistelli said she attended a meeting at the state house, the Halibut State Park building is in need of repair; the Dept. of Conservation and Recreation were present at the meeting as well. She said it sounds like it's moving forward, she's optimistic.
- The Rights of Way committee applied for a grant from the Commonwealth of Mass. to improve public access on the paths and repair some winter damage. They applied for \$15,000 and received \$13,500.
- The DPW garage is in need of replacement. The cost is in the \$7M range, it would be a debt exclusion at Town Meeting.
- The Town Administrator spoke about the building study; she said the document is still being reviewed.

Selectmen Updates and Liaison Reports

Public Comment Period: T. Arsenian, 95 Granite St., said he spoke at a Board of Selectmen meeting, four weeks ago, about the Granite Pier Extension Study; it cost \$5,500. He said he asked for copies of the study. T. Olson has a copy; T. Arsenian said there should be copies at the library and the clerk's office. He is asking for a joint meeting or hearing with the Harbor Advisory Committee and the Board of Selectmen. He also spoke on the winter parking ban, he is questioning if the Board of Selectmen is committed to a parking plan or are they asking the Planning Board to do that. The Town Administrator said the newly created Community Development function has just been approved; parking will be a part of that. Jim Ugoni, 33 Main St., said he was recently at a meeting discussing the winter parking ban. He lives downtown, and is questioning the protocol for moving forward on this (looking at other communities, equipment needed, etc.) He said he's been doing some volunteer efforts on this subject; he

Public Comment Period

will get his information to Selectperson Murphy. Selectperson Lucas said the Cultural District received a Technical Assistance Grant, and has a part time position available for six months.

7:25 Action List

Action List;

Appointment of
L. Hallowell to
Millbrook
Meadow
Committee
Motion Approved

- Appointment of Laura Hallowell to the Millbrook Meadow Committee: Selectperson Murphy moved that the Board of Selectmen appoint Laura Hallowell to the Millbrook Meadow Committee for a one year term to expire on June 30, 2016, Selectperson Lucas seconded, Vote: 3-0. S. Coulbourn said L. Hallowell has been an advisor to the committee and she is working with the Garden Club on invasive plants.

Job Title Change
to Principal
Assessor
Motion Approved

- Job Title Change to Principal Assessor: Selectperson Lucas moved that the Selectmen approve the Personnel Board's and Human Resource Director's recommendation to change the job title of Assistant Assessor to Principal Assessor, Selectperson Murphy seconded, Vote: 3-0.

Acceptance of
Dispatcher
Resignation
Motion Approved

- Acceptance of Resignation of Dispatcher: Selectperson Murphy moved that the Selectmen accept the resignation of Mary Gallivan as a Civilian Dispatcher effective December 3, 2015, Selectperson Lucas seconded, Vote: 3-0.

DPW Purchasing
Agreement for
purchase of
backhoe
Motion Approved

- DPW Purchasing Agreement: Selectperson Lucas moved that the Selectmen approve and sign a Purchasing Agreement with Southworth-Milton, Inc. of 100 Quarry Drive, Milford, Massachusetts for the purchase of at 2015 CAT 420F2-IT Backhoe in the amount of \$64,500, Selectperson Murphy seconded, Vote: 3-0.

Annual Liquor
License Yankee
Clipper
Motion Approved

- Annual Liquor License Application – Yankee Clipper: Selectperson Lucas moved that the Selectmen approve the on premise all alcohol license renewal for the Yankee Clipper for 2016, Selectperson Murphy seconded, Vote: 3-0. They have a restaurant license; they have to be able to have an approved facility in order to serve food.

122 Long Beach
Renovations
No Vote Taken.

- 122 Long Beach Renovations: Selectperson Murphy moved that the Board of Selectmen approve the renovations to 122 Long Beach as requested by Marion C. Deluca and as depicted on a plan entitled "Deluca Residence, 122 Long Beach, Rockport, MA" by Breuker Design, LLC dated November 13, 2015 and as reviewed by the Building Inspector on November 24, 2015, Selectperson Lucas seconded, no vote taken. Breuker Design was present. He said it is longer than most of the other lots; it goes from the street to the seawall. They are proposing a new design on the same footprint with the same deck size on the street side, but increasing the deck size on the beach side. It's a 2-story building, maintaining the footprint, building up to the 30' maximum height, and conforming to FEMA construction by the home being placed on pilings. They need handicap access from the seawall and street. Access to an elevator is planned for wheelchair access so a family member can access all levels of the house. The plan includes a series of loose laid decks composed of wood frame, where they can be removed. They are presenting to the Conservation Commission tomorrow. T. Arsenian, 95 Granite Street, said it needs to be determined if Building Inspector, P. Orlando's letter of approval was received. He said if there is a footing then it is a permanent structure. The architect said the pathway could be used by others. Dan Hefferman, 124 Long Beach, said for 100 year's historically 122 Long Beach has used the other side of the cottage for access. Members of the board plan to visit the site on their own to review this request; no vote taken.

Public Comment: Dan Heffernan, 124 Long Beach, (direct abutter to 122 Long Beach) said the proposed 92' X 3' walkway, goes across the property he leases. He would like to be a good neighbor, but says the 276 s.f. deck that goes along the left hand side of their home uses the property the Heffernan's lease. He said the distance between 122 and 124 Long Beach is only 71" wide; the other side is either 16' or 18' where the current walkway exists. He objects, as well, to the planned 20' X 8' expansion to the existing paved driveway.

Action List:
Continued

122 Long Beach
renovations (con't)

The architect said they had to choose that side of the house because it is flat and is less costly. They would have to move a lot of earth; the Conservation Commission might not be in favor of the other side of the cottage and it's a financial hardship.

- 23 Long Beach Lease Address Change: Selectperson Lucas moved that the Selectmen approve and sign a Lease for 23 Long Beach with Thomas M. Dugan, Trustee of the Dugan Family Realty Trust having an address of 18 Benton Road, Medford, Massachusetts, Selectperson Murphy seconded, Vote: 3-0.
- 36 Old County Road Lease Family Transfer: Selectperson Lucas moved that the Selectmen approve and sign a Lease for 36 Old County Road with Sara Daniels and Dave Daniels having an address of 4 Meadowlark Farm Lane, Middleton, Massachusetts to reflect a family transfer change, Selectperson Murphy seconded, Vote: 3-0.
- 69 Long Beach Notice of Lease: Selectperson Murphy moved that the Board of Selectmen approve and sign a Notice of Lease for 69 Long Beach with Michael and Nicole Zimmerman, Selectperson Lucas seconded, Vote: 3-0.
- Pigeon Cove Land Leases – Fisherman's Coop: Selectperson Murphy moved that the Board approve and sign a Pigeon Cove Land Lease with the Pigeon Cove Fishermen's Co-op., to expire on June 30, 2017, Selectperson Lucas seconded, Vote: 3-0.
- Pigeon Cove Lease Transfer: Selectperson Lucas moved that the Board of Selectmen approve a Pigeon Cove Wharf Fish Shack Lease transfer from Robert Morris, Jr. to Scott Place for a two year term to end on June 30, 2017, Selectperson Murphy seconded, Vote: 3-0.

23 Long Beach
Lease Address
Change
Motion Approved

36 Old County
Road Lease Family
Transfer
Motion Approved

69 Long Beach
Notice of Lase
Motion Approved

Pigeon Cove Land
Leases –
Fisherman's Co-Op
Motion Approved

Pigeon Cove Lease
Transfer
Motion Approved

7:55 Discussion Item

- Road Race Start Time: S. Murray, Twin Light Marathon and R. Morrell from the Triple Threat Race were present to request an earlier start time for each of their races. S. Murray said the Twin Light Race used to start at 9am at Good Harbor, with permits in Gloucester for food/tents, etc. They would like to start it earlier because there is a pinch point at Granite Street and Beach. T. Arsenian, 95 Granite St., said he doesn't agree with road closures for the indulgence of a few, debris all over the place and loud music. He agrees that the police chief has the authority to close roads in an emergency but questions why the Board of Selectmen isn't involved in the approval of a road closure for a road race. The Triple Threat Race starts at the school; this is the fifth year, and heads toward Good Harbor beach and back to Rockport. They come down by the Headlands and come back via Mt. Pleasant Street, they start at 9am. It is on a Sunday; it can be on a Saturday or Sunday. They would like to start at 8am; the big race would start at 9:15am. Selectperson Murphy said he recommends having the race on a Saturday given the noise level.

Discussion Item:

Road Race Start
Time

Other Business/Announcements

Executive Session:

8:45 Selectperson Lucas moved to enter Executive Session for the approval of Executive Session minutes and not reconvene in open session, Selectperson Murphy seconded, roll call vote: Chairperson Battistelli – aye, Selectperson Lucas – aye, Selectperson Murphy – aye, all in favor.

Motion to enter Executive Session for the approval of Executive Session Minutes
Motion Approved

Warrant Signed:

Warrant signed for the Fiscal Year 2015 Payroll and Expenses for the week of December 3, 2015 in the amounts of \$102,620.06 and \$51,224.09 respectively.

Items Signed:

Ellen's Harborside, Entertainment License
Rockport Music, Entertainment License
Yankee Clipper, Entertainment License
Dichyant, Inc.e, Common Victualler's License
Brackett's Oceanview Common Victualler's License
Rockport Music, Common Victualler's License
Ellen's Coffee Shop, Common Victualler's License
Cumberland Farms, Inc., Common Victualler's License
Rockport Fudgery, Common Victualler's License
7th Wave, Common Victualler's License
New Hong Kong Restaurant, Common Victualler's License
MHG Rockport, The Grand Café, The Emerson Inn by the Sea, Common Victualler's License
Lantana House, Innholder's License
Addison Choate Inn, Innholder's License
JMMJ Corp., Captain's Bounty on the Beach
MHG Rockport LLC, R. W. Emerson Inn by the Sea, Innholder's License
The Quarterdeck Inn by the Sea, Lodging House License
Inn on Cove Hill, Lodging House License
King Street Inn, Lodging House License
The Tuck Inn, Innholder's License
Pigeon Cove Lease, Scott Place
Lease, Pigeon Cove Fishermen's Coop
Notice of Lease, Michael & Nicole Zimmerman
Purchasing Agreement, Southworth Milton, Inc., Milford, MA
Long Beach Lease Sara and Dave Daniels
Long Beach Lease, Thomas Dugan
Yankee Clipper Inn, Common Victualler's License
ABCC, Yankee Clipper
Yankee Clipper, Innholder's License